

## AMERICANA TOWERS CONDOMINIUM ASSOCIATION

1636 N. Wells Street  
Chicago, Illinois 60614

			Wrong Amount <u>Billed</u>	Correct Amount <u>Should Have Been</u>
1.	05/13/92 to 07/14/92	179.4 KW	\$ 4,666.60 *	\$ 2,333.30
	This was a 2 month bill; but, the sum of the Demand for both of those 2 months on Meter #G250980 was billed for <u>each</u> of those 2 months.			
2.	12/12/92 to 01/13/93	264.6 KW	\$ 3,008.50 *	\$ 1,132.45
		108,480 KWHrs	\$ 3,677.47 *	\$ 1,384.27
	Meter #G250979 malfunctioned and recorded 3 times the normal historical and possible Demands and Energy for a 9 month period, until that meter was exchanged to Meter #G685520. (The correct range of Demands were <u>61 KWs to 110 KWs for ~186 months before 12/12/92 and also for ~155 months after 09/16/93</u> , which is when Meter #G250979 was replaced).			
3.	01/13/93 to 02/11/93	288.6 KW	\$ 3,281.38 *	\$ 1,176.80
		139,860 KWHrs	\$ 4,741.25 *	\$ 1,700.36
	Meter #G250979 malfunctioned and recorded 3 times the normal historical and possible Demands and Energy for a 9 month period, until that meter was exchanged to Meter #G685520. (The correct range of Demands were <u>61 KWs to 110 KWs for ~186 months before 12/12/92 and also for ~155 months after 09/16/93</u> , which is when Meter #G250979 was replaced).			
4.	02/11/93 to 03/16/93	298.8 KW	\$ 3,397.36 *	\$ 1,057.41
		171,240 KWHrs	\$ 5,805.04 *	\$ 1,806.80
	Meter #G250979 malfunctioned and recorded 3 times the normal historical and possible Demands and Energy for a 9 month period, until that meter was exchanged to Meter #G685520. (The correct range of Demands were <u>61 KWs to 110 KWs for ~186 months before 12/12/92 and also for ~155 months after 09/16/93</u> , which is when Meter #G250979 was replaced).			
5.	03/16/93 to 04/14/93	262.8 KW	\$ 2,988.04 *	\$ 1,026.71
		127,140 KWHrs	\$ 4,310.05 *	\$ 1,480.96
	Meter #G250979 malfunctioned and recorded 3 times the normal historical and possible Demands and Energy for a 9 month period, until that meter was exchanged to Meter #G685520. (The correct range of Demands were <u>61 KWs to 110 KWs for ~186 months before 12/12/92 and also for ~155 months after 09/16/93</u> , which is when Meter #G250979 was replaced).			
6.	04/14/93 to 05/13/93	226.8 KW	\$ 2,578.72 *	\$ 920.97
		104,280 KWHrs	\$ 3,535.09 *	\$ 1,262.54
	Meter #G250979 malfunctioned and recorded 3 times the normal historical and possible Demands and Energy for a 9 month period, until that meter was exchanged to Meter #G685520. (The correct range of Demands were <u>61 KWs to 110 KWs for ~186 months before 12/12/92 and also for ~155 months after 09/16/93</u> , which is when Meter #G250979 was replaced).			

7. 05/13/93 to 06/14/93      243.6 KW      \$ 2,769.73 \*      \$ 955.08  
    127,200 KWHrs      \$ 4,312.08 \*      \$ 1,486.92  
 Meter #G250979 malfunctioned and recorded 3 times the normal historical and possible Demands and Energy for a 9 month period, until that meter was exchanged to Meter #G685520.  
 (The correct range of Demands were 61 KWs to 110 KWs for ~186 months before 12/12/92 and also for ~155 months after 09/16/93, which is when Meter #G250979 was replaced).  
 This was the 1<sup>st</sup> of 3 months that the Demand on Meter #G250979 was EXACTLY the same.
8. 05/13/93 to 06/14/93  
 This was the 1<sup>st</sup> bill, in ~16 years, (~192 months), that the Total Demands went over 500 KWs, due to the malfunctioning Meter #G250979, that recorded 3 times the respective monthly normal. The correct historical Total Demands during ~350 months were ~128 KWs up to ~461 KWs.
9. 06/14/93 to 07/14/93  
 This was the 1<sup>st</sup> of 73 bills put onto Rate #6T. Americana's total usage was then erroneously billed with Time-Of-Day charges from 06/14/93 thru 07/12/99.. This was a clear **violation of the Rate 6 General Service Tariff**, since even wrongly billed Demands have provisions to be billed with over 500 KWs for 3 months within a 12 month period before being automatically put onto Rate #6T.
10. 06/14/93 to 07/14/93      243.6 KW      \$ 3,541.94 \*      \$ 1,260.62  
    124,440 KWHrs      \$ 4,720.83 \*      \$ 1,501.43  
 Meter #G250979 malfunctioned and recorded 3 times the normal historical and possible Demands and Energy for a 9 month period, until that meter was exchanged to Meter #G685520.  
 (The correct range of Demands were 61 KWs to 110 KWs for ~186 months before 12/12/92 and also for ~155 months after 09/16/93, which is when Meter #G250979 was replaced).  
 This was the 2<sup>nd</sup> of 3 months that the Demand on Meter #G250979 was EXACTLY the same.
11. 07/14/93 to 08/12/93      243.6 KW      \$ 3,541.94 \*      \$ 1,251.89  
    125,940 KWHrs      \$ 4,755.25 \*      \$ 1,508.99  
 Meter #G250979 malfunctioned and recorded 3 times the normal historical and possible Demands and Energy for a 9 month period, until that meter was exchanged to Meter #G685520.  
 (The correct range of Demands were 61 KWs to 110 KWs for ~186 months before 12/12/92 and also for ~155 months after 09/16/93, which is when Meter #G250979 was replaced).  
 This was the 3<sup>rd</sup> of 3 months that the Demand on Meter #G250979 was EXACTLY the same.
12. 08/12/93 to 09/13/93      189.0 KW      \$ 2,748.06 \*      \$ 1,234.45  
    49,500 KWHrs      \$ 1,868.99 \*      \$ 753.80  
 Meter #G250979 malfunctioned and recorded 3 times the normal historical and possible Demands and Energy for a 9 month period, until that meter was exchanged to Meter #G685520.  
 (The correct range of Demands were 61 KWs to 110 KWs for ~186 months before 12/12/92 and also for ~155 months after 09/16/93, which is when Meter #G250979 was replaced).

13. 08/12/93 to 09/13/93      196.2 KW      \$ 2,852.75 \*      \$ 1,426.37  
This billed Demand on Meter #G250980 was improbable and twice the normal historical. The Demand was “double-punched”.
14. 06/13/94 to 07/13/94      100.0 KW      \$ 1,105.00 \*      \$ 0.00  
For ~350 months, this Meter #G101966 used 0.0 KWs, but this month, the Meter Reader read the meter’s Demand as a “dial turnover” at 99.99, and the bill showed usage as 100.0 KWs; but, he correctly read the same meter’s Energy portion as zero KWHrs, as always.
15. 05/11/95 to 06/12/95      19.5 KW      \$ 217.03 \*      \$ 200.34  
This Meter #W554944 was installed on 05/30/95. The billed Energy was zero KWHrs; but, the billed Demand was 19.5 KWs; that was impossible! The correct historical Demands on this Meter #W554944 was between 0.8 KWs and 2.0 KWs for the next 134 months.
16. 08/10/95 to 09/11/95      35.0 KW      \$ 498.40 \*      \$ 249.20  
This 35.0 KW billed Demand was between 2 to 6 times the correct historical normal, ever, for this metered position #G787035.
17. 08/10/95 to 09/11/95      32.6 KW      \$ 464.22 \*      \$ 232.11  
This 32.6 KW billed Demand was between 2 to 10 times the correct historical normal, ever, for this metered position #W755458, which was 1<sup>st</sup> installed on 08/10/95.
18. 05/09/96 to 06/10/96      27.0 KW      \$ 300.51 \*      \$ 155.82  
This 27.0 KW billed Demand was between 2 to 10 times the correct historical normal, ever, for this metered position #W755458.
19. 10/08/96 to 11/06/96      738.2 KW      \$ 8,216.16 \*      \$ 82.36  
32,890 KWHrs      \$ 1,890.85 \*      \$ 453.80  
The correctly recorded and billed KW usage on this Meter #G208274 was always between 3.0 KWs and 10.0 KWs, (and all billed KWs of Demand were always billed at “Off-Peak”), before and after this month; but, this month, it was billed for an impossible and historically abnormal 738.2 KWs, which was probably due to the multiplier being moved over to the right by two decimal places.  
  
The Kilowatt-Hours were also incorrectly billed with 10 to 20 times the correct historical normal; but, ALL KWHrs were always billed at “Peak” charges.
20. 08/11/98 to 09/10/98      28.0 KW      \$ 398.72 \*      \$ 199.36  
The range of Demands on this Meter #W771081 has always been between 1.0 KW to 17.0 KWs.
21. 06/10/99 to 07/12/99      175,397 KWHrs (Peak) \$ 9,820.48 \*      \$ 2,777.41  
158,868 KWHrs (Off-Pk) \$ 3,719.12 \*      \$ 2,515.67  
The incorrectly Total billed Energy during this last billing period on Rate #6T was an exorbitantly high 337,112 KWHrs. The normal historical range was between 110,000 KWHrs and 248,000 KWHrs for ~350 months.

31. Accumulated Interest at 5.0% 12/11/93 to 06/30/06	=	<u><u><u>\$ 80,596.15</u></u></u>
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**31. TOTAL REFUND DUE TO AMERICANA** = **\$ 194,026.04**  
as of August 31<sup>st</sup>, 2006

#24	\$	31,679.82	KW Overpayments
#27	+	\$ 34,523.55	KWHr Overpayments
#29	+	\$ 32,431.30	Overpayments on Rate #6T vs. Rate #6
#30	+	\$ 14,795.22	Overpayments on Taxes
#31	+	\$ 80,596.15	Interest = Lost Use of Overpayments
		<u>\$ 194,026.04</u>	<b>TOTAL Refund Due</b>

**SUMMARY OF REFUND DUE**

	<u>Rate6T vs 6</u> <u>Overcharges</u>	<u>KW Demand</u> <u>Overcharges</u>	<u>KWHr Energy</u> <u>Overcharges</u>	<u>Taxes at 15%</u>	<u>Prior Year End's</u> <u>Total Due</u>	<u>Interest</u> <u>at 5% on</u> <u>Prior Year End's</u> <u>Total Due</u>	<u>Year End</u> <u>Totals Due</u>
<u>1992</u>	\$ 0.00	\$ 2,333.30	\$ 0.00	\$ 350.00	\$ 0.00	\$ 0.00	\$ 2,683.30
<u>1993</u>	\$ 3,368.32	\$ 19,265.67	\$ 24,839.98	\$ 7,121.10	\$ 2,683.30	\$ 134.16	\$ 57,412.53
<u>1994</u>	\$ 3,652.10	\$ 1,105.00	\$ 0.00	\$ 713.57	\$ 57,412.53	\$ 2,870.63	\$ 65,753.83
<u>1995</u>	\$ 6,121.37	\$ 498.00	\$ 0.00	\$ 992.91	\$ 65,753.83	\$ 3,287.69	\$ 76,653.80
<u>1996</u>	\$ 4,681.47	\$ 8,278.49	\$ 1,437.05	\$ 2,159.55	\$ 76,653.80	\$ 3,832.69	\$ 97,043.05
<u>1997</u>	\$ 4,718.56	\$ 0.00	\$ 0.00	\$ 707.78	\$ 97,043.05	\$ 4,852.15	\$ 107,321.54
<u>1998</u>	\$ 5,621.48	\$ 199.36	\$ 0.00	\$ 873.13	\$ 107,321.54	\$ 5,366.08	\$ 119,381.59
<u>1<sup>st</sup> 7</u> <u>1999</u>	<u>\$ 4,268.00</u>	<u>\$ 0.00</u>	<u>\$ 8,246.52</u>	<u>\$ 1,877.18</u>	<u>\$ 119,381.59</u>	<u>\$ 3,481.96</u>	<b>\$ 137,255.25</b>

Thru **\$ 32,431.30** **\$ 31,679.82** **\$ 34,523.55** **\$ 14,795.22** **\$ 23,825.36**  
7/12/99

Last 5½ months in 1999	\$ 137,255.25	\$ 2,859.48	\$ 140,114.73
<u>2000</u>	\$ 140,114.73	\$ 7,005.74	\$ 147,120.47
<u>2001</u>	\$ 147,120.47	\$ 7,356.02	\$ 154,476.49
<u>2002</u>	\$ 154,476.49	\$ 7,723.82	\$ 162,200.31
<u>2003</u>	\$ 162,200.31	\$ 8,110.02	\$ 170,310.33
<u>2004</u>	\$ 170,310.33	\$ 8,515.52	\$ 178,825.85
<u>2005</u>	\$ 178,825.84	\$ 8,941.29	\$ 187,767.13
<u>2006</u> (8 months)	\$ 187,767.13	\$ 6,258.90	\$ 194,026.03

**TOTAL REFUND DUE TO AMERICANA as of August 31<sup>st</sup>, 2006**

**\$194,026.04**

Overcharges on Wrong Rate #6T vs. Rate #6	\$ 32,431.30
Overcharges Due To Erroneous KWs	\$ 31,679.82
Overcharges Due To Erroneous KWHrs	\$ 34,523.55
Overcharges of Taxes at 15% from 05/13/92 to 07/12/99	\$ 14,795.22
Accumulated Interest at 5.0% from 12/11/93 to 08/31/06	\$ 80,596.15

**TOTAL REFUND DUE TO AMERICANA**  
as of 08/31/06

**\$194,026.04**